

Sec. 9-1-140 County Zoning Administrator.

- (a) **Designation.** The County Zoning Committee shall appoint a County Zoning Administrator for the administration and enforcement of the provisions of this Chapter. The County Zoning Committee may also authorize designation of Deputy Zoning Administrators to assist in the enforcement and administration of this Chapter.
- (b) **Duties.** In administering and enforcing this Chapter, the County Zoning Administrator, and any of his deputies, shall perform the following duties:
 - (1) Provide necessary forms and applications for use permits.
 - (2) Issue Land Use Permits where the provisions of this Chapter have been complied with.
 - (3) Issue Conditional Use Permits when authorized by the County Zoning Committee.
 - (4) Survey the County, upon adoption of this Chapter, and when necessary upon the passage of amendments, identify and record information relative to nonconforming uses and structures.
 - (5) Maintain files of applications, permits and other relevant information.
 - (6) Make an annual report of his activities to the County Zoning Committee.
 - (7) Submit written notice of all proposed shoreland variances, special exceptions (conditional uses), appeals for map or text interpretations, and map on text amendments to the appropriate area office of the Department, at least ten (10) days prior to the Public Hearing held on the matter.
 - (8) Submit copies of decisions on variances, special exceptions and decisions on appeals for map on text interpretations and map on text amendments within ten (10) days after they are granted or denied to the appropriate area office of the Department.
- (c) **Powers.** The County Zoning Administrator and the duly appointed deputies shall have powers and authority including but not limited to the following:
 - (1) Access to any structure or premise for the purpose of performing his duties between 8:00 a.m. and 6:00 p.m. by the permission of the owner or upon issuance of a special inspection warrant.
 - (2) Upon reasonable cause or question as to proper compliance, to revoke any land use permit and issue cease and desist orders requiring the cessation of any building, moving, alteration or use which is in violation of the provisions of this Chapter.

Sec. 9-1-141 Land Use Permits.

- (a) **Permit Required.** No structure shall be built, moved, or structurally altered, and no land use shall be substantially altered until a Land Use Permit has been issued by the County Zoning Administrator. He shall not issue a permit for a structure or a use not in conformity with the requirements of this Chapter. The fee for filing of applications for land use

permits shall be established by the County Zoning Committee. A copy of the current fee schedule shall be kept on file in the office of the County Zoning Administrator.

- (b) **Application Procedure.** Applications for land use permits shall be accompanied by scale maps or drawings showing accurately the location, size and shape of the lot (s) involved, and of any proposed structures, including the relation to abutting streets and any abutting lakes or streams, and the existing and proposed use of each structure and lot and the number of families to be accommodated.
- (c) **Expiration.** Land use permits for construction, alteration, or removal of structure shall expire twelve (12) months from their date of issuance if no building activity has begun within such time. Land use permits for land use changes shall expire eighteen (18) months from their date of issuance where no action has been taken to accomplish such changes.
- (d) **Exceptions.** A Land Use Permit is not required for farm buildings, school bus-stop shelters or structures not for human habitation provided such structures meet the dimensional and setback requirements of this Chapter, and are less than one thousand (1,000) cubic feet in size.
- (e) **Fuel Tanks.** Any fuel tank above ground with a capacity of one thousand (1,000) gallons or more shall require a retaining wall high enough to contain capacity of tank and have an impermeable base, and be subject to the same specifications as a bulk plant.

Sec. 9-1-142 Violations.

- (a) Any person who violates this Chapter shall forfeit a sum up to Three Hundred Dollars (\$300.00), plus costs of prosecution, for each day of violation. Default of payment shall result in imprisonment in the Iron County Jail for a period of not to exceed six (6) months.
- (b) Nothing contained in this Chapter shall be construed as preventing the use of the Iron County Citation Ordinance, adopted pursuant to Chapter 66.119, Wis. Stats., as a method of enforcing the Iron County Zoning Ordinances, nor shall the use of the Iron County Citation Ordinance prevent the use of any enforcement method authorized herein.
- (c) All violations shall be referred to the Iron County District Attorney, for prosecution.

Sec. 9-1-143 through Sec. 9-1-159 Reserved for Future Use.

Article I: Nonconforming Uses

Sec. 9-1-160 Nonconforming Uses.

- (a) Lawful uses and structures predating the adoption of this Chapter may be continued even though they do not conform to the restrictions of this Chapter. However, structural repairs or alterations of such buildings, signs or premises shall not during the life of the structure exceed fifty percent (50%) of their current ~~assessed valuation~~ unless a building, sign or premises conforming to this Chapter results. If any nonconforming use is discontinued for twelve (12) consecutive months, any future use of the building, structure or property shall conform to this Chapter.
- (b) The maintenance and repair of nonconforming boathouses which are located below the ordinary highwater mark of any navigable waters shall comply with the requirements of Sec. 30.121, Wis. Stats.
- (c) Uses which are nuisances shall not be permitted to continue as nonconforming uses.
- (d) If the alteration, addition or repair of an existing nonconforming building or structure is prohibited because it is in excess of fifty percent (50%) of the current estimated fair market value, the property owner may still make the proposed alteration, addition or repair if:
 - (1) The building or structure with a nonconforming use is permanently changed to a conforming use.
 - (2) The property owner appeals the determination of the Zoning Administrator, and either the County Board of Adjustment or the Circuit Court find in the property owner's favor under Sec. 59.99(4) or 59.99(10), Wis. Stats.; or
 - (3) The property owner successfully petitions to have the property rezoned under Sec. 59.97(5)(e), Wis. Stats., and Sec. NR115.05(2)(e), Wis. Adm. Code, if applicable.

****assessed valuation****, Revised at County Board Meeting on September 21, 1994. Resolution #2113.

Sec. 9-1-161 through Sec. 9-1-179 Reserved for Future Use.

Article J: Miscellaneous Administrative Procedures

Sec. 9-1-180 Board of Adjustment.

- (a) **Composition.** A Board of Adjustment is hereby created. Such board shall be appointed in accordance with the provisions of Sec. 59.99, Wis. Stats.
- (b) **Call for Meetings.** The Board of Adjustment shall meet at the call of the Chairman, and at such other times as the Board of Adjustment may determine at a fixed time and place.
- (c) **Open Meetings.** All meetings of the Board of Adjustment shall be open to the public.
- (d) **Public Hearing Location.** Any public hearing which the Board of Adjustment is required to hold under Subsection (e) shall be held in a town hall or other place as convenient as may be to the location or locations to be considered at such public hearing, and a full description of the location of such place of hearing by name, address, or other commonly known means of identification, shall be included in the notice of such hearing.
- (e) **Notification of Public Hearing.** Notice of any public hearing which the Board of Adjustment is required to hold under the terms of this Chapter shall specify the date, time, and place of hearing and the matter to come before the Board of Adjustment at such hearings, and such notice shall be given in each of the following ways:
 - (1) By publication in the official newspaper of the County at least twice, not less than ten (10) days prior to the date of the hearing.
 - (2) By posting, not less than ten (10) days prior to the date of such hearing, in each of the public places in which official notices are usually published, in each town affected by the matters to come before the Board of Adjustment at such hearing.
 - (3) Notice shall be mailed directly to the parties in interest.
 - (4) In cases where shorelands are involved a copy of the notice for a public hearing shall be sent to the appropriate area office of the Department at least ten (10) days prior to the hearing.
- (f) **Minutes.** The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions including the reasons for granting or refusing a variance, all of which shall be public record. In those cases where shorelands are involved a copy of the Board's determination shall be sent to the Department's appropriate area office within ten (10) days of the decision.
- (g) **Powers and Duties.**
 - (1) The Board of Adjustment shall adopt such additional rules as it deems necessary and may exercise all of the powers conferred on such boards by Sec. 59.99, Wis. Stats.
 - (2) It shall hear and decide appeals where it is alleged there is error in any order, requirements, decision or determination made by an administrative official in the enforcement or administration of this Chapter.

- (3) It may grant a variance from the dimensional standards of this Chapter where the criteria for a variance are met, where the spirit of the Chapter will be observed, and where the variance will not be contrary to the public interest.
- (4) The Board of Adjustment shall have power to call on any County departments for assistance in the performance of its duties and it shall be the duty of such other departments to render all such assistance as may be reasonably required.
- (5) It shall either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or prosecution or grant the application.
- (h) **Appeals to the Board.** Appeals to the Board of Adjustment may be made by any person aggrieved or by an officer, department, board or bureau of the County affected by any decision of the Zoning Administrator or other administrative officer. Such appeal shall be made within a reasonable time, as provided by the rules of the Board, by filing with the officer whose decision is in question, and with the Board of Adjustment, a notice of appeal specifying the reasons for the appeal. The Zoning Administrator or other officer whose decision is in question shall promptly transmit to the Board all the papers constituting the record concerning the matter appealed.
- (i) **Standards.** The Board of Adjustment may grant upon appeal a variance from the dimensional standards of this Chapter where the applicant convincingly demonstrates that literal enforcement of the provisions of the Ordinance will result in unnecessary hardship on the applicant due to special conditions unique to the property, where the criteria for a variance are met, where the spirit of the Ordinance will be observed and where the variance will not be contrary to public interest.

Sec. 9-1-181 Amendments.

- (a) **Procedure.** The County Board of Supervisors may amend this Ordinance in accordance with the requirements as prescribed by Sec. 59.97(5), Wis. Stats., and NR115, Wis. Adm. Code.
- (b) **Fee.** Any petition for amendment submitted by other than a governmental body shall be accompanied by a fee of ~~XXXXXXXXXXXXXXXXXXXX~~ to defray the cost of advertising, investigation and processing. ****SEE ATTACHED FEE SCHEDULE****
- (c) **Notification.** Petitions for text or map amendments shall be filed with the County Clerk according to the provisions in Sec. 59.97(5)(e), Wis. Stats. Copies of each petition shall be mailed to the appropriate area office of the Department within five (5) days of the filing with the County Clerk. Written notice of the public hearing on a proposed amendment shall be mailed to the appropriate area office of the department at least ten (10) days prior to the hearing. A copy of the County Board's decision on each proposed amendment shall be forwarded to the appropriate district office of the Department within ten (10) days after the decision is issued.

Fee Schedule revised at the Iron County Board Meeting held on September 23, 1992. Resolution #2013.

Sec. 9-1-182 Public Hearings.

- (a) **Notice.** Adequate notice shall be given of any public hearing required by the provisions of this Chapter, stating the time and place of such hearing and the purpose for which it is being held. A public hearing is required for all conditional uses, appeals and amendments.
- (b) **Procedure for Posting and Publishing.**
 - (1) Notice of public hearing shall be given as per Chapter 985, Wis. Stats.
 - (2) In addition, when the hearing involves a proposed change in the zoning district classification of any property, or the granting of a conditional use, the town in which affected land is located shall be notified as per Sec. 59.97(3)(d), Wis. Stats.

Sec. 9-1-183 Validity.

- (a) **Conflict.** All other ordinances or parts of ordinances in conflict with the provisions of this Chapter are hereby repealed.
- (b) **Court Invalidation.** Invalidation by a court of any part of this Chapter shall not invalidate the rest of the Chapter.
- (c) **Force and Effect.** Following passage and publication by the County Board of Supervisors, this amendment shall be in full force and effect in each town, as provided in Sec. 59.97(3), Wis. Stats., except that shoreland zoning provisions required by NR115, Wis. Adm. Code, shall be immediately effective.

Sec. 9-1-184 through Sec. 9-1-199 Reserved for Future Use.